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C O N F I D E N T I A L KINSHASA 001873

SIPDIS

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SUBJECT: FARDC MILITARY TRIBUNAL REQUESTS MONUC SUPPORT IN  
MASS GRAVES INQUIRY

Classified By: PolOff TJNaber, reasons 1.4 b/d.

1. (SBU) Following an October 25 joint visit to recently discovered mass graves in Rutshuru territory by a MONUC Human Rights Division team and a FARDC military tribunal, the latter requested MONUC assistance in conducting an inquiry. Specifically, the FARDC military tribunal requested the following of the MONUC Human Rights Division: 1) technical support in measuring the perimeter of the grave sites, 2) technical and logistical support in a second visit to the mass graves for the purpose of taking the statements of witnesses, 3) technical support via a medical-legal team and scientists specializing in forensics, and 4) MONUC protection for the witnesses, magistrates, and investigators involved in the inquiry. Initial investigations by the military magistrate located four witnesses, including one survivor. The FARDC military tribunal at Rutshuru sent a report to the FARDC Magistrate-General asking him to provide the necessary directives to continue the inquiry.

2. (SBU) FARDC soldiers with the 5th Integrated Brigade by chance discovered three mass graves within the perimeter of their military base near Rutshuru in late September. Four other mass graves have since been identified in nearby locations near Rutshuru. MONUC human rights officers in Goma reportedly urged the GDRC to bring the killings to light, preferably through a civilian judicial inquiry. According to the Chief of Staff to the GDRC Human Rights Minister, Olela Okunji, the inquiry will be military and civilian in nature.

3. (SBU) According to local accounts, the graves hold the remains of Congolese Hutu victims of Rwandan/AFDL massacres in Rutshuru dating to October 30 and November 18, 1996. Local survivors recount a meeting called by the AFDL in Rutshuru stadium on October 30, 1996 for the region's inhabitants; nearly all were massacred. Local survivors also claim they can provide the location of several other mass graves.

4. (SBU) The well-publicized discovery of the graves appears to have opened old wounds in Rutshuru. According to a UNICEF staff member in Goma, Anisea Mweze, relations between local Hutus and Tutsis have cooled, despite reports that North Kivu governor Eugene Serufuli is working to calm them. The Nande, an ethnic group usually unsympathetic to both Hutus and Tutsis, has recently expressed fellowship with the former as victims of perceived Tutsi violence. The Regional Coordinator of the Rutshuru NGO Centre d'Etudes et de Recherches en Education de Base pour le Developpement Integre (CEREBRA) has established a committee to identify witnesses of the massacre and register possible victims. The Regional Coordinator of CEREBRA, Kambale Kiyana, said that a local Catholic church organized a mass for the victims October 29. He also said that the local population is horrified at seeing human bones and skulls scattered around the mass graves sites and are accusing Rutshuru Mayor Oscar Ndambiye of failing to take steps to secure the graves due to his complicity in the original massacres. (Note: The initial goals of the MONUC Human Rights Division and FARDC military tribunal visit on October 25 were to establish the existence of the mass graves, locate witnesses and survivors, and to protect the grave sites. It is unclear whether the last of these has been achieved. End note.)

5. (C) Comment: The "recently discovered" mass graves in Rutshuru appear to have been an open secret among the local population. With the commencement of a public inquiry, witnesses and survivors responded with rage and grief at what they characterize as a "genocide" of Hutus (Congolese and Rwandan) by Tutsis (Congolese and Rwandan) during the 1996-1998 war that brought Laurent Desire Kabila to power. There is a widespread perception in the provinces of North and South Kivu that the world is unwilling to hear about atrocities committed by Rwandan and AFDL forces in the DRC, especially given that the current Congolese president's father came to power as the head of the AFDL. Foot-dragging by the FARDC military tribunal or perceived lack of assistance by MONUC will further contribute to distrust of both institutions in the area. End comment.  
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